4656

BILL NO. X-79-10-13

ANNEXATION ORDINANCE NO. X- 11-79

AN ORDINANCE annexing certain territory, commonly known as The Park, to Fort Wayne, and including the same in Councilmanic District No. 3.

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of Section 5, 7, 8 and 17 in St. Joseph Township 31 North, Range 13 East, in Allen County, more particularly described as follows, to-wit:

Beginning at a point which is the intersection of the centerline of the St. Joseph River and the extension East of the North boundary line of Concordia Gardens; thence West along the North boundary line of Concordia Gardens to the East right-of-way line of Leo Road; thence Northeast along the East right-of-way line of Leo Road to the South line of "The Meadows In The Park" as recorded in Book 43, Pages 3 - 7, in the Office of the Recorder of Allen County; thence S 66 degrees 58' 00" East a distance of 556.52'; thence S 85 degrees 22' 26" East a distance of 104.81'; thence N 72 degrees 37' 47" East a distance of 124.56'; thence S 35 degrees 47' 01" East a distance of 788.28'; thence N 87 degrees 31' 30" East a distance of 290.37'; thence N 43 degrees 46' 30" East a distance of 458.38'; thence N 46 degrees 13' 30" West a distance of 53.73'; thence N 43 degrees 46' 30" East a distance of 139.78' to a point on the East line of Section 7-31-13; thence North along the East line of Section 7 to the centerline of said Section 7; thence West along centerline of Section 7 to the East right-of-way line of Leo Road; thence Northeasterly along the East right-of-way line of Leo Road to the intersection of the North line of Section 8-31-13; thence East along the North line of said Section 8 to the West line of Bouries Reserve; thence southerly along the West line of Bouries Reserve a distance of 636'; thence South 70 degrees East a distance of 1000'; thence South 18 degrees East a distance of 800'; thence at a deflection to the left of 38 degrees 32' a distance of 700'; thence at a deflection to the right of 90 degrees 01' 30" on a line extended to the centerline of the St. Joseph River; thence following the centerline of

the St. Joseph River in it's meanderings to the point of beginning. An area of approximately 347 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE

APPROVED AS TO FORM & LEGALITY

William N. Salin, City Attorney

Councilperson

Read the first time in full and on motion by Stier, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City-~~County~~ Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock _____ M., E.S.T.

DATE: 10-9-79

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9				
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE: 11-27-79

Charles W. Westerman /pc
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (GENERAL) (ANNEXATION) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. X-11-79 on the 27th day of November, 19 79.

ATTEST: (SEAL)

Charles W. Westerman /pc
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1979, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Westerman /pc
CITY CLERK

Approved and signed by me this 30th day of November, 1979 at the hour of 3 o'clock P M., E.S.T.

Robert E. Armstrong
MAYOR

Jessen 11-27-79

Bill No. X-79-10-13

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance annexing certain territory, commonly known as The Park, to Fort Wayne, and including the same in Councilmanic District No. 3

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do PASS.

JAMES S. STIER - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JOHN NUCKOLS

SAMUEL J. TALARICO

DATE 11-27-79 CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

Memorandum

To Members of City Council Date 10-23-79

From Paul Norby / CD&P APN

Subject Voluntary Annexation of The Park, X-79-10-13

COPIES TO:

James Stier
Winfield Moses
Paul Burns
Vivian Schmidt
Samuel Talarico
John Nuckols
Donald Schmidt
William Hinga
Fredrick Hunter
Logan
Westerman
Scrogham
File

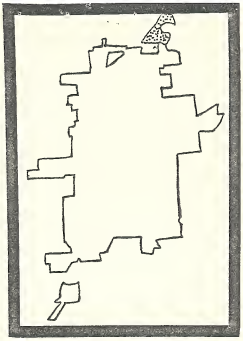
Attached are materials for The Park annexation, Bill No. X-79-10-13. Included are the original ordinance, the necessary resolution for The Park, a Plan Commission Resolution recommending DO PASS, and the Fiscal Plan.

This is a voluntary annexation petitioned for by 100% of the owners of the territory including the City which owns 75 acres of riverfront ground in the area. The total area is 347 acres. There are two dwelling units and one commercial establishment involved. Over 99% of the area is undeveloped.

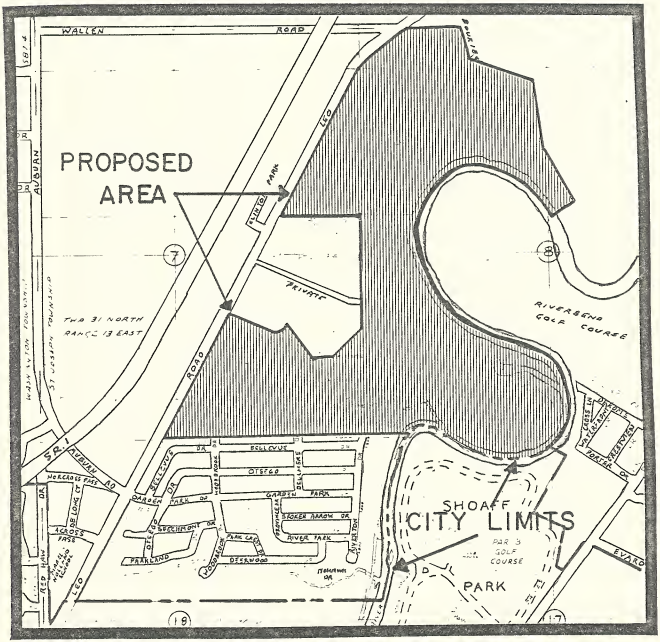
The Park is north of Concordia Gardens and northwest of Shoaff Park. It is contiguous to the City and the other criteria of the voluntary annexation law are met. The Fiscal Plan is required by Common Council Resolution R-56-79. It shows that this annexation is fiscally feasible. There is little development in the area now, and it is expected to develop only gradually.

Should the Council desire to have a public hearing on this, our staff will be available. We would like to note, however, that all of the owners of record have petitioned the City for the annexation. Whatever your decision regarding the calendar for discussing X-79-10-13, please keep us informed so that we can be present to discuss it with you.

THE PARK ANNEXATION



CITY OF FORT WAYNE



INTRODUCTION

The proposed Park voluntary annexation area is located north of Fort Wayne in St. Joseph Township. The Fort Wayne area is expected to continue growing, and this is one area that could absorb residential development. Currently undeveloped, the Park area is adjacent to the existing urban area, is well served by sewer facilities and is located along a major traffic route, Leo Road and North Clinton. Thus it is well suited for adjacent growth.

Annexation at this time would provide the City of Fort Wayne with planning control. All new development would then have to be consistent with City standards and policies. Also, there would be no doubt that urban services would be provided by the City. This saves duplication and promotes more efficient and effective service provision.

The owners of the territory involved have petitioned the City for annexation. More than fifty-one percent (51%) of the owners did sign the petition and the area is contiguous to the City based on Annexation Ordinance X-25-Shoaff Park. Thus, the voluntary annexation criteria of I.C. 18-5-10-23 are met.

The City Council has adopted General Annexation Resolution R-56-79. This resolution required that a fiscal plan meeting the criteria of State annexation law (I.C. 18-5-10-25) be prepared. This report does so by giving cost estimates of services to be provided, by stating the methods of financing these services, by giving a plan for extending these services, and by showing how non-capital and capital services will be furnished within one year and three years, respectively, as required. Additionally, this plan summarizes the fiscal impact of annexation upon the City and makes a recommendation.

BASIC DATA

1. Location

Generally located north of the City of Fort Wayne in St. Joseph Township as follows: east of Leo Road, south of Wallen and Brooks Roads, west of the St. Joseph River, northwest of Shoaff Park, and due north of Concordia Gardens. It is contiguous to the City along the boundary adjacent to Shoaff Park that follows the centerline of the St. Joseph River.

2. Size

347 acres or .54 sq. miles.

3. Population/Density

There are 2 dwelling units in the area. The estimated population is 6.

4. Buildings

Type	Number	Condition
Residential	2	Fair to poor
Commercial	4	Fair to poor

5. Land Use

Residential	2 Acres	.6%
Commercial	1 Acre	.3%
Vacant	344	99.1%

6. Zoning

County Zoning	Description	City Zone	Description
All RSP	Planned Residential Development	RA	Residential

7. Planning

At this time virtually the entire Park area is undeveloped. The Allen County Comprehensive Plan considered this area as suburban residential in its 1990 land use plan.[1] Additionally, when the City Plan Commission had two-mile fringe planning jurisdiction previously, a development plan was approved for the area. It is clear then, that the area is likely to absorb some of the population growth forecast for Allen County.

Immediately south of the Park is Concordia Gardens. This residential subdivision was annexed in the mid-1960's, although the ordinance was later nullified by Court action. In 1979 the Fort Wayne City Council passed another annexation ordinance for Concordia Gardens. The Park, then, is an almost inevitable expansion of the City. It is a logical extension of the urban area and the City limits.

Annexation and eventual urban development in the area are highly compatible. The growth would be adjacent, which allows for more efficient planning and delivery of urban services and minimizes the problems of scattered growth. The concept has been adopted by the County and City Plan Commissions. Annexation furnishes the means for providing necessary services to the area. Furthermore, the principal governmental unit for providing urban services, the City, would clearly have the responsibility for doing so in The Park area.

Road access to the area is already available via Leo Road. The St. Joseph Sewer interceptor serves the area and water main extension by the developer is also feasible. Street and street lighting capital improvements will be the responsibility of the eventual developers.

At the time of this report, the first phase of the development plan review process is being geared up. However, it is virtually impossible to project the amount of development that will occur within the three year time line of State annexation law, or the five year time line of the financial summary. Complete development is almost out of the question. Regardless, with the area in the City, the City will be intimately involved in regulating the development of the area and will provide required urban services as needed and in accord with local, state, and federal laws, procedures and planning criteria.

1. Allen County Plan Commission, Allen County Comprehensive Plan, 1990 Land Use Map, May 1976.

MUNICIPAL SERVICES

State law requires that within one (1) year of annexation, the City provides the annexed area with "planned services of a noncapital nature" which are "equivalent in standard and scope" to those noncapital services provided to similar areas in the City. The law also requires "that services of a capital improvement nature...be provided within three (3) years of the effective date of the annexation, in the same manner as those services are provided" to similar areas within the City. Cost estimates of the services, methods of financing the services, and a plan for the organization and extension of services are also required. (I.C. 18-5-10-25 (C)). This report contains a fiscal plan for doing so.

In 1979 the Fort Wayne City Council adopted Resolution No. R-56-79 that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-56-79.

Municipal services are analyzed in terms of the needs of The Park annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats The Park area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new utility service, the standard service provision processes will be used just as they are used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include property owner petitioning and financial participation. The water, sewer and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The Park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services in The Park annexation area are presented in the following reports.

This is a plan to provide municipal services, which the City of Fort Wayne is committed to do. The exact implementation details may change as needs are re-evaluated and services re-allocated throughout the entire city. Standard City policy could also change, necessitating change in the manner and amount of service provided. Regardless of the change in details, the services will be provided to The Park area in the same manner and level that they are provided elsewhere in the City.

Once the annexation becomes effective the departments of the City of Fort Wayne will be notified so that they can appropriately modify their areas of jurisdiction. Then the Plan can be implemented.

At this time development in the area is almost nill with only two dwelling units and one small commercial facility in use. Even though full services will be provided, it is virtually impossible to calculate the cost of serving the areas 344 acres of vacant ground , six residents, and one commercial enterprise, a moderate sized auto repair shop. Alternatively,

the precise timing of future development is unknown.

A final development plan has not been submitted yet. The potential developer has estimated that there could be 400 residential units in the area by the end of three years. Until detailed plans are submitted, several departments cannot estimate future expenses. This is similar to the Wheatridge I annexation and some general estimates comparing costs to revenues can be developed. These are provided in the financial summary as a decision making guide only. The detailed service plans are tailored for current development and for handling the development process. City costs will approach the three year estimate only gradually, if they are even incurred.

1. Police

The Fort Wayne Police Department will become responsible for servicing The Park area immediately upon annexation. This service generally includes the prevention and detection of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation of maintenance and feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

The Park area can be covered by the Police Department by adjusting District 1. With the current level of development, the expense would almost be nill. The County is responsible for Leo Road, but the City would routinely patrol the area itself, as required. No cost estimate can be made for such a minimal level of development.

Future development will require more extensive police coverage. Using the already approved Concordia Gardens annexation (X-05-79) as a model, roughly 10 trips a day, on the average, will be required for the amount of development expected within three years. No road mileage is available for that part of the estimate. The estimated annual cost of Concordia Gardens was $10,300. Concordia has 300 dwelling units and 4.47 miles of residential roads. A possible cost range for the Park, then, at the end of three years, would be $10,300 to $14,000 annually.

Regardless of the eventual cost, the Police Department will provide the area with service substantially equivalent to that provided similar areas within the City. Service will begin upon annexation with adjustments in the provision of service to be based on constant evaluation of the area's and City's needs.

Funding for the manpower and equipment used to serve the area will come from the regular Police Department Budget which is derived primarily from local property taxes through the General Fund. Any monies allocated to the General Fund can be used for this budget and these services.

ESTIMATED ANNUAL COST: Not calculable for time of annexation. Maximum cost in year 3 would be from $10,300 to $14,000. (No inflation)

2. Fire

The Fort Wayne Fire Department will provide immediate service to The Park area upon annexation. The services provided are the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond with fire-fighting equipment, materials and personnel to the proposed annexation area in the same way as it responds to similar locations within the city. Initial response will be from Station #13 at Parnell and Coliseum. Assistance will come from Station #6 on West Coliseum Boulevard. Additional City units could be called to assist as could the St. Joseph Township Fire Department. North Clinton provides good access, so response time for current development and for future development will be acceptable. Fire hydrants will be required of all future developments.

Clearly, the responsibility for an additional 6 structures of the type in this area will not result in significant additional costs. The only additional cost from the projected level of development at the end of the three years would be for operating expenses. Using the Concordia Gardens annexation (X-05-79) as a model, this could run from $461.00 to $612.[1] Funding would be through the regular Fire Department Budget which comes out of the General Fund and is raised mostly by local property taxes.

Long range Fire master planning will evaluate the need for building a station somewhere north of Station #13. Although The Park annexation does not require this action, The Park area would benefit from it.

ESTIMATED ANNUAL COST: $0
Maximum cost in three years would be from $461 to $612 annually. (No Inflation)

3. Emergency Medical Services (EMS)

Immediately upon annexation, The Park annexation area will receive full time emergency medical service coverage from the Fort Wayne EMS Department. This includes ambulance coverage and first aid treatment to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention.

EMS response will usually come from the unit stationed at Fire Station #13 at the intersection of Parnell and Coliseum Boulevard. On certain runs, EMS will come from Station #1 in downtown.

The Fire Department is training its personnel so that in the near future there will be a trained emergency medical technician at each station and on all runs. They will be able to administer medical treatment before the ambulance arrives to transport the victim. Therefore, a fire unit from Station #13 will respond to emergencies when necessary.

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1. An estimate was made of the annual number of fire runs and EMS support runs. Using an average cost for each piece of equipment that rolls on each run an annual cost was calculated. Labor was not included as no additional personnel is needed.

Using a rate of .08 runs per person, the area would generate less than one run per year. At a cost of $30 per run, the annual cost would be #30 at the most. Should 400 units be in the area by the end of three years, the average annual cost would be $3,800.

The source of funding for Emergency Medical Service is the General Fund.

ESTIMATED ANNUAL COST; $30
Maximum cost in year three would be $3,800.
(no inflation)

4. Solid Waste Collection

Under the terms of the present contract, the cost of solid waste collection is $40.00 per household per year. With 2 single family dwelling units, the total cost will be $80.00 per year. If additional personnel are needed, they will be hired by the contractor. The City will pay this cost from the General Fund.

With a possible 400 units in three years the cost could be $32,000 in 1980 costs. However, if some of the units are multi-family, solid waste collection will not be provided by the City.

ESTIMATED ANNUAL COSTS: $80
Maximum cost in three years of $32,000 (No Inflation)

5. Traffic Control

The City of Fort Wayne will assume responsibility for traffic control in the area upon annexation. Right now there are no public roads in the area, so there will be no expense.

The City will be concerned with regulating traffic control features of future development. Using the Wheatridge I Fiscal Plan, X-02-79, as a model for serving new developments that are annexed before substantial construction, the most likely expense will be for maintenance of traffic signs. Given the newness of the area, as well as the fact that the City will regulate the development process, this expense should be almost nill and cannot be estimated at this time.[1]

The sources of funding for any future improvements and/or Traffic Engineering service are the General Fund, Revenue Sharing Funds, and occassionally, Motor Vehicle Highway Funds.

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1. Traffic Engineering and Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, Ordinance X-02-79, P. 8.

6. Street Lighting

There will be no costs for street lighting as no roads are being annexed. When the area is developed, the developer will have to pay the street lighting capital costs, with lighting installation to be regulated by the City. Eventual energy and maintenance costs cannot be determined at this time since the timing and precise nature of development is unknown.

7. Streets and Roads

Since there are no public streets or roads in the area at this time, there will be no street maintenance or construction costs. The eventual developer will pay for street installation, which will have to meet City standards and satisfy public safety requirements. The City will then assume maintenance responsibility. No costs can be estimated as the total mileage of streets is unknown. Also, there is no way to tell how many miles of streets actually will be in place during the time frame of this fiscal plan.

8. Parks

The current population does not warrant park development. Given the size of the area, when it is fully developed recreational areas will be necessary.

Under current policy, the Park Department is not providing neighborhood parks for new subdivisions. Instead, during the development plan approval process, the Park Department will encourage the developer to provide adequate neighborhood park space and facilities. Also, the annexation area is within the service area of Shoaff Park, a 170 acre Community Park.

Within the annexation area are 75 acres of City owned riverfront property. This could become a part of the proposed rivergreenway system. Presently a natural area, the 75 acres would most likely be left as such. Access could be improved and biking/hiking trails developed. A small boat landing dock and picnic areas might also be provided. Once the area is in the City, the Park Department could apply for state and federal grants to pay for part of the improvements. This minor development would not occur until there is enough population in the area to warrant the expense. However, the land is already suitable for natural area use.

Costs for a funmobile stop and for street tree maintenance cannot be established at this time. A Funmobile will not be provided until the need is established and interest shown. Street tree maintenance costs cannot be established until there is knowledge that they will be installed and to a specific extent.

9. General Administrative Functions

Upon annexation all administrative functions of the City will be available to the annexation area. This includes, but is not limited to, The Law Department, The City Plan Commission, The Mayors Office,

The Board of Works, Metropolitan Human Relations, and so on. Under the rubric of General Administration would be included all the regulatory and program functions of the various City departments. When annexation becomes effective City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services can not be directly related to the size or population of an area.[1] It is, however, the position of the City Controller that an expansion of the size proposed here can be absorbed by the City departments through their regular budgets. These budgets are developed with consideration of annexation. Therefore, expansion of administrative functions is possible. Funding comes from a variety of resources including the General Fund, monies from the State (MVH for example) and in some cases, Federal Grants.

1. Community Development and Planning, Annexation Program and Policy Study, 1976.

Water and sewer services will be provided the area by City Utilities. These services will be paid for by the developer and then by user charges. No Civil City tax property tax revenues will be used.

1. Water

The Fort Wayne Water Utility has the capacity to provide water to the area. Main extension will be required; but this will be the developer's responsibility, particularly for the distribution mains. Since the feeder mains needed for the general area are those that will serve The Park area, they will primarily be paid for the The Park developer. Oversizing to serve areas beyond The Park is possible. This would be paid for through City Utilities funds and not through Civil City property tax funds. Annexation has no bearing on this matter since all necessary installations can occur regardless of the City boundary.

2. Fire Hydrants

Within the corporate limits, the Civil City pays the Water Utility a $151.20 usage fee for each fire hydrant. This will be incurred once development takes place in The Park. At this time, however, the number of hydrants has yet to be determined and will not be until final development plans are submitted. Furthermore, it is not possible to tell when this cost will be incurred.

3. Sanitary Sewers

When The Park is developed it can be sewered with extensions off of the St. Joe Interceptor Sewer. This will be paid for by the developer. The operation and maintenance costs for both interceptor and sanitary sewer extensions will be paid for through City Utilities revenues. No Civil City property tax revenues will be used for the construction of sanitary sewers in the area.

4. Storm Drainage

The storm sewer system will be installed by the developer. The City will regulate storm drainage planning and facilities effectively through the development review process. Thus, the City will make sure that an adequate storm water drainage system is provided by the developer (s) of The Park area.

1. Revenue

Revenue from The Park annexation will change significantly as the area developes. Again, the only known quantity is the current level of development. Thus, potential revenue varies radically from definite revenue to be gained shortly after annexation.

The earlier estimate of 400 dwelling units within three years does provide a preliminary population projection. Yet, under present economic circumstances and in the absence of an approved final development plan, the timing and value of this development can only be guessed at.

At this time the total assessed valuation in the area is $39,080. Applying the 1979 city tax table of 3.9068 per $100 assessed valuation, the City would receive $1527 a year in property taxes from the area.[1]

Other sources of revenue for the City are based upon population. The four sources are the Motor Vehicale Highway Tax, Alcoholic Beverage Gallonage Tax, Cigarette Tax, and Cumulative Capital. The table below gives an estimate of the monies to be received.

Revenue Source		Population	Total
MVH	$9.37/CAP	6	56.22
Alcoholic Ga.	1.62/CAP	6	9.72
Cigarette	1.24/CAP	6	7.44
Cumulative Cap.	4.62	6	27.72
			$101.10

The money received from the Alcoholic Gallonage and the Cigarette Tax are placed in the General Fund. The MVH revenue is placed in its own separate MVH fund. The Cumulative Capital revenue is placed in its own fund or upon approval of the City Council, it may be placed in the General Fund. The area must be in the City by December 31, 1979, for the City to receive there funds in the 1980's.

The amount of money the City receives from Federal Revenue Sharing, the Community Development Block Grant, and the Local Road and Street Fund is related to the City's population. Population is only one element of complex distribution formulas, so the direct contribution of The Park cannot be calculated. Still, these funds should increase with population increases.

Estimating the revenue from future development is a hazardous undertaking. This was attempted for the Wheatridge I Annexation, X-02-79.[2]

1. Although there was a recent reassessment, the old assesment figures were used because the tax rate that will betapplied to the new values has not been determined yet.

2. Community Development and Planning Wheatridge I Fiscal Plan,Bill No. X-79-02-41, X-02-79.

This is a convenient model. Assuming 400 single family units in The Park at the end of three years, in the absence of more definite information, assuming no increases in the allowable tax levy, and assuming that the value of development will be roughly similar to that of Wheatridge I, the City can expect in the vicinity of $145,000 a year in property tax revenue from the area at the end of three years. Population based revenue would be in the area of $21,600 annually. The City would not receive this revenue in the 1980's because the population would not be included in the 1980 Census counts.

2. Expenditures

Expenditures reported here are those that will be incurred to the Civil City. The starting point, and the only reasonably certain expenses, are those of serving the current development. An estimate of the costs with 400 units can be obtained by extrapolating from the Wheatridge I, X-02-79, Fiscal Plan. Wheatridge I was not developed at the time of annexation and is reasonably close in projected type, quality and location of development to The Park. Extrapolations from Wheatridge I, and the maximum costs reported in the municipal services reports, are discussed in detail in the Five Year Summary. Shown below are the costs to be incurred from annexing The Park as it now exists.

Service	Capital Cost	Annual Operating Cost
Police	-	-
Fire	-	-
EMS	-	$30
Solid Waste Col.	-	$80
Traffic Control	-	-
Street Lighting	-	-
Parks	-	-
General Administration	-	-
Fire Hydrants	-	-

3. Five Year Summary

In this case, unlike other annexations, a five year summary is not that enlightening. Since the area is virtually undeveloped at this time, the cost of services is extremely low. This plan estimates it to be $110 annually. Property tax revenues will be $1527 annually.

When a projected total of 400 dwelling units within three years of annexation is considered, the basic relationship of cost to revenue should be roughly the same as those of Wheatridge I, X-02-79[1]. In that case revenues exceeded costs. This should hold for The Park, even without population based revenue. The Police service cost for The Park would be less per capita than for Wheatridge I because of a methodological change. (See Page 5 of this report for an estimate of the cost.) In this report estimated annual costs for this amount of development are given for police service ($14,000), Fire Protection ($612), EMS ($3,800) and solid waste collection ($32,000).

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1. Community Development and Planning, Wheatridge I Fiscal Plan, Bill No. X-79-02-41, X-02-79, P. 15.

Other costs cannot be estimated at this time, as explained in the service reports. Yet, it seems clear that no costs should be much greater per unit than those estimated for Wheatridge I. Consequently, it is fair to assume that revenue will exceed costs over the course of five years.[1] Also, costs will increase gradually with phased development. This will soften the effect of the one year of service without revenue associated with annexation.

1. Using the stated costs plus an extrapolation from Wheatridge I, results in an annual, uninflated, cost of $65,000 Expected revenue (not increased over 1979 tax rates and assessments) would be $145,000 annually.

1. Indiana Annexation Statutes

As a voluntary annexation, The Park annexation meets the criteria of Indiana law, I.C. 18-5-10-23 by being contiguous to the City and by having been petitioned for by more than fifty-one percent (51%) of the property owners.

Indiana law is not clear on the need for a fiscal plan for a voluntary annexation. However, one has been prepared and it does meet the fiscal plan criteria of I.C. 18-5-10-23. These criteria have been adopted by the City of Fort Wayne by Resolution R-56-79 for all annexations. The criteria of State law are:

"The annexing city has developed a written fiscal plan and has established a definite policy, by resolution of the common counci, as of the date of passage of the annexation ordinance, showing:

(1) the cost estimates of planned services to be furnished to the territory to be annexed;
(2) the method or methods of financing the planned services;
(3) the plan for the organization and extension of services;
(4) that planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services which are normally provided within the existing corporate boundaries, will be provided to the annexed territory within one (1) year from the effective date of annexation, and that they will be provided in a manner which is equivalent in standard and scope to those noncapital services provided to areas within the annexing city which have similar topography, patterns of land utilization, and population density; and
(5) that services of a capital improvement nature, such as street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years of the effective date of the annexation, in the same manner as those services are provided to areas within the annexing city which have similar topography, patterns of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria; and
(6) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation, but nothing herein shall require the annexing authority to hire any employees."

This document is the written fiscal plan which establishes a definite policy for providing municipal services to The Park within the specific time limits, as required by the Indiana Code. Once the annexation is passed by the Common Council, this document will be adopted and become an official document of the City. When the annexation becomes effective City departments will be notified and will modify their jurisdictions accordingly so that the plan can then be implemented.

Police and fire protection, emergency medical services, solid waste collection, and traffic control services are considered essential for the health and safety of The Park annexation area residents, patrons, and workers and will be available at standard levels upon annexation. All other non-capital services, such as street lighting, street maintenance, and all administrative functions of the City will also be provided upon annexation and in the same manner as they are normally provided within the City. As already indicated, at this time there are no public streets in the area so street lighting, street maintenance, and traffic control services are no required. Neither are additional park services as the area's population does not warrant additional service.

Future development will require streets, street lights, traffic control facilities, sewers, water service, and storm drainage. The City will regulate the provision of these services by the developer. Maintenance costs will then be assumed by the City and City Utilities in accord with routinely used policies and procedures.

The cost estimates of the planned services were obtained from the service departments and are included in this document. The method or methods of financing for each service is also included, as well as the plan for the organization and extension of services.

The Financial Summary shows the cost of providing these services, as well as the additional revenue the Civil City will receive.

This annexation will not eliminate the jobs of any employees of other governmental entities, so no plans for the hiring of such employees are needed.

2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered other annexation criteria in addition to those set forth by the State Statutes:

A. The area proposed for annexation must have a unity of interest with the municipality.

The Park annexation area is needed for the future urban development of Fort Wayne. Once the area is urban, it will clearly be a part of the Fort Wayne Urban Community. The residents will participate in the Fort Wayne job market, retail trade, service community, and will use City services. Also, the Park area will be developed using City Utilities sewer and water.

B. The advantages to the proposed annexation area must outweigh the disadvantages.

As a voluntary annexation prior to development, the area will benefit from being developed at City standards and with the same standards as would apply after a later annexation. Also, the full range of Fort Wayne's municipal services will be provided. Annexation helps Fort Wayne remain viable which is a benefit to eventual area residents. The only disadvantage is the higher tax rate.

C. The advantages to the City must outweigh the disadvantages.

The City would grow along with the urban area, thereby providing a strong tax base and the ability to provide adequate services. Annexation prevents inequities in the tax burden shouldered by City residents and by the eventual Park residents. Also, annexation assures that duplication of service will be minimized and that the City will have planning jurisdiction over the future development of the area.

D. The deficit of income against expenses to the City must not be unreasonable.

As shown in the Financial Summary, upon annexation, there will not be a deficit of income to revenue. Projections are that this pattern will continue.

E. The City must desire to annex the area.

The Park annexation is a voluntary one. Yet, it conforms to the proposed annexation area of the Annexation Policy and Program Study.[1] The area is likely to develop and for Fort Wayne to grow with the urban area, The Park must be annexed.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne, as it meets both the legal and local criteria for annexation.

---

1. Community Development and Planning, Annexation Policy and Program Study, 1976. P42

Memorandum

To Charles Westerman/City Clerk Date Oct. 5, 1979

From Paul Zisla/CD&P P Z

Subject Petition for Voluntary Annexation

COPIES TO:

James Stier
Winfield Moses
Paul Norby
Ken McCrory
File

Attached is a petition for voluntary annexation of a parcel north of Concordia Gardens, commonly referred to as The Park, signed by 100% of the property owners. An ordinance for this annexation has been prepared and should be ready for introduction on October 9, 1979. Usually these ordinances are sent to the Plan Commission for study. Please notify us if this does not occur, as the Plan Commission is hoping to have an October 15, 1979 Public Hearing on this annexation.

C D & P will prepare a fiscal plan even though the area is currently vacant. This will be reviewed by the Commission. Should the Plan Commission recommend "Do Pass", the ordinance will be forwarded back to Council the week of October 22, 1979. The Council can then set a Public Hearing if it desires.

Please inform us of the date of such a hearing, or of Council discussion of this annexation, so that we can attend and explain the annexation further.

Thank you for your assistance.

PETITION FOR ANNEXATION

Come now Patrick J. Bruggeman and J. A. Bruggemann, and the City of Fort Wayne, being more than fifty-one percent (51%) of the owners of the territory described herein, situated outside and adjacent to the corporate boundaries of the City of Fort Wayne, and petition the City of Fort Wayne for annexation of said real estate, and request the passage of an Annexation Ordinance for the purpose of annexing the territory to the City. Said territory is described as follows:

Parts of Sections 5, 7, 8, 17 in St. Joseph Township 31 North, Range 13 East in Allen County, more particularly described as follows, to-wit:

Beginning at a point which is the intersection of the centerline of the St. Joseph River and the extention East of the North boundary line of Concordia Gardens; thence West along the North boundary line of Concordia Gardens to the East right-of-way line of Leo Road; thence Northeast along the East right-of-way line of Leo Road to the South line of "The Meadows in the Park" as recorded in Book 43, Pages 3-7, in the Office of Recorder of Allen County; thence S 66 degrees 58' 00" East a distance of 556.52'; thence S 85 degrees 22' 26" East a distance of 104.81'; thence N 72 degrees 37' 47" East a distance of 124.56'; thence S 35 degrees 47' 01" East a distance of 788.28'; thence N 87 degrees 31' 30" East a distance of 290.37'; thence N 43 degrees 46' 30" East a distance of 458.38'; thence N 46 degrees 13' 30" West a distance of 53.73'; thence N 43 degrees 46' 30" East a distance of 139.78' to a point on the East line of Section 7-31-13; thence North along the East line of Section 7 to the centerline of said Section 7; thence West along centerline of Section 7 to the East right-of-way line of Leo Road; thence Northeasterly along the East right-of-way line of Leo Road to the intersection of the North line of Section 8-31-13; thence East along the North line of said Section 8 to the West line of Bouries Reserve; thence southerly along the West line of Bouries Reserve a distance of 636'; thence South 70 degrees East a distance of 1000'; thence South 18 degrees East a distance of 800'; thence at a deflection to the left of 38 degrees 32' a distance of 700'; thence at a deflection to the right of 90 degrees 01' 30" on a line extended to the centerline of the St. Joseph River; thence following the centerline of the St. Joseph River in it's meanderings to the point of beginning. An area of approximately 347 acres more or less.

Patrick J. Bruggeman

J. A. Bruggeman

City of Fort Wayne
by The Board of Works
Henry Wehrenberg, Chairman

RECEIVED
OCT 4 1979
FORT WAYNE CITY
PLAN COMMISSION

4691

TITLE OF ORDINANCE SPECIAL ORDINANCE - CITY UTILITIES PURCHASE ORDER NO. 1432 - INDUSTRIAL TRACTOR & EQUIP. CO., INC.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

L-79-11-29

SYNOPSIS OF ORDINANCE CITY UTILITIES PURCHASE ORDER NO. 1432, INDUSTRIAL TRACTOR & EQUIPMENT CO., INC. FOR THREE 1979 DAKOTA MODEL #1080-20 BACKHOE TRAILERS, TWO FOR WATER MAINTENANCE & SERVICE DEPT. AND ONE FOR WATER POLLUTION CONTROL MAINTENANCE DEPT., FOR A TOTAL AMOUNT OF $13,066.00.

~~(MEMORANDUM AND PURCHASE ORDER ATTACHED)~~

EFFECT OF PASSAGE TRAILERS FOR HAULING EQUIPMENT, ETC. FOR MAINTENANCE WORK

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) $13,066.00 FROM CITY UTILITIES

ASSIGNED TO COMMITTEE

EP

OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

December 4, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of December 7 & 14, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Annexation Ordinance
Bill No. X-79-10-13
Annexation Ordinance No. X-11-79
(The Park)

Historic Preservation Ordinance
Bill No. G-79-03-20 (AS AMENDED)
General Ordinance No. G-26-79

Please send us eight (8) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 2

Notice is hereby given that on the 27th day of November, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X 79 10 13 X 11 79 Annexation Ordinance, to wit:

BILL NO. X 79 10 13

ANNEXATION ORDINANCE

NO. X 11 79

AN ORDINANCE annexing certain territory, commonly known as The Park, to Fort Wayne, and including the same in Councilmanic District No. 3.

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

Parts of Section 5, 7, 8 and 17 in St. Joseph Township 31 North, Range 13 East, in Allen County, more particularly described as follows, to wit:

Beginning at a point which is the intersection of the centerline of the St. Joseph River and the extension East of the North boundary line of Concordia Gardens; thence West along the North boundary line of Concordia Gardens to the East right-of-way line of Leo Road; thence Northeast along the East right-of way line of Leo Road to the South line of "The Meadows In The Park" as recorded in Book 43, Pages 3-7, in the Office of the Recorder of Allen County; thence S 66 degrees 58' 00" East a distance of 556.52'; thence S 85 degrees 22' 26" East a distance of 104.81'; thence N 72 degrees 37' 47" East a distance of 124.56'; thence S 35 degrees 47' 01" East a distance of 788.28'; thence N 87 degrees 31' 30" East a distance of 290.37'; thence N 43 degrees 46' 30" East a distance of 458.38'; thence N 46 degrees 13' 30" West a distance of 53.73'; thence N 43 degrees 46' 30" East a distance of 139.78' to a point on the East line of Section 7-31-13; thence North along the East line of Section 7 to the centerline of said Section 7; thence West along centerline of Section 7 to the East right-of-way line of Leo Road; thence Northeasterly along the East right-of-way line of Leo Road to the intersection of the North line of Section 8-31-13; thence East along the North line of said Section 8 to the West line of Bouries Reserve; thence southerly along the West line of Bouries Reserve a distance of 636'; thence South 70 degrees East a distance of 1090'; thence South 18 degrees East a distance of 800'; thence at a deflection to the left of 38 degrees 32' a distance of 700'; thence at a deflection to the right of 90 degrees 01' 30" on a line extended to the centerline of the St. Joseph River; thence following the centerline of the St. Joseph River in it's meanderings to the point of beginning. An area of approximately 347 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE
JAMES S. STIER
Councilperson

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 11-27-79

Charles W. Westerman/ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-11-79 on the 27th day of November, 1979.

ATTEST:
SEAL
Charles W. Westerman/ne
City Clerk
Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman/ne
City Clerk

Approved and signed by me this 30th day of November, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-11-79 passed by the Common Council on the 27th day of November, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of November, 1979 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of November, 1979.

CHARLES W. WESTERMAN/ne
City Clerk

12/7 12/14

Fo... Accounts ...

Council

...nit)

...County, Ind.

General Form No. 99 P (Rev. 1967)

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LI...t not exceed two actual lines, neither of which shall total more than four solid lines
...h which the body of the advertisement is set) – number of equivalent lines

...lines	
...lines	190
...nes	2
...ber of lines in notice	192

CC... 1 ... columns wide equals ... 192 ... equivalent lines at .25¢ ... $ 49.73
...line

...notices containing rule or tabular work (50 per cent of above amount)

...fs of publication (50 cents for each proof in excess of two) 6 extra 3.00

...OUNT OF CLAIM. $ 52.73

DA...

...in 9.9 ems Size of type 5½ point

...2 Size of quad upon which type is cast 5½

Pu...ges of Ch. 89, Acts 1967.

I ha...count is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Orville DeWald

Da... Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

12/7 - 12/14/79

Orville DeWald

Subscribed and sworn to before me this 14 th day of December 19 79

Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen
County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines		
Head number of lines		
Body number of lines		190
Tail number of lines		2
Total number of lines in notice		192

COMPUTION OF CHARGES

192 lines, 1 cents per line columns wide equals 192 equivalent lines at .2594	$ 49.73
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra	3.00
TOTAL AMOUNT OF CLAIM.	$ 52.73

DATA FOR COMPUTING COST

Width of single column 9.9 ems — Size of type 5½ point

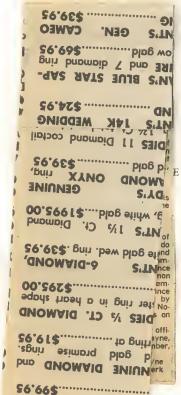
Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date Dec. 14, 19 79 — Title CLERK



PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

12/7 - 12/14/79

Arvilla DeWald

Subscribed and sworn to before me this 14 th day of December 19 79

Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council

(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra 3.00

TOTAL AMOUNT OF CLAIM. $ 52.73

DATA FOR COMPUTING COST

Width of single column 9.9 ems Size of type 5½ point

Number of

Pursuant to the provision

I hereby certify that the fi has been paid.

Date Dec. 14 19

its, and that no part of the same

ERK

aid county and state, the

who, being duly sworn, says

of the

irculation printed and published

NA

and county aforesaid, and that the printed matter attached hereto is a true copy, is duly published in said paper for two times ,the dates of publication being s:

12/7 - 12/14/79

ed and sworn to before me this 14 th day of December 19

Notary Public

mission expires September 28, 1983

Notice is hereby given that on the 27th day of November, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-79-10-13 (X.11.79 Annexation Ordinance, to wit:

BILL NO. X-79-10-13

ANNEXATION ORDINANCE NO. X-11-79

AN ORDINANCE annexing certain territory, commonly known as The Park, to Fort Wayne, and including the same in Councilmanic District No.3.

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

Parts of Section 5, 7, 8 and 17 in St Joseph Township 31 North, Range 13 East, in Allen County, more particularly described as follows, to wit

Beginning at a point which is the intersection of the centerline of the St. Joseph River and the extension East of the North boundary line of Concordia Gardens; thence West along the North boundary line of Concordia Gardens to the East right-of-way line of Lee Road; thence Northeast along the East right-of-way line of Lee Road to the South line of "The Meadows in The Park" as recorded in Book 43, Pages 3-7, in the Office of the Recorder of Allen County; thence S 46 degrees 58' 00" East a distance of 556.52'; thence S 61 degrees 22' 26" East a distance of 104.81'; thence N 72 degrees 37' 47" East a distance of 124.56'; thence N 35 degrees 47' 01" East a distance of 788.28'; thence N 87 degrees 31' 30" East a distance of 290.37'; thence N 43 degrees 46' 30" East a distance of 458.38'; thence N 46 degrees 13' 30" West a distance of 53.73'; thence N 43 degrees 46' 30" East a distance of 139.76' to a point on the East line of Section 7-31-13; thence North along the East line of Section 7 to the centerline of said Section 7; thence West along centerline of Section 7 to the East right-of-way line of Lee Road; thence Northeasterly along the East right-of-way line of Lee Road to the intersection of the North line of Section 8-31-13; thence East along the North line of said Section 8 to the West line of Bouries Reserve; thence southerly along the West line of Bouries Reserve a distance of 636'; thence South 70 degrees East a distance of 1000'; thence South 18 degrees East a distance of 800'; thence at a deflection to the right of 38 degrees 20' a distance of 700'; thence at a deflection to the right of 90 degrees 01' 30" on a line extended to the centerline of the St. Joseph River; thence following the centerline of the St. Joseph River in it's meanderings to the point of beginning. An area of approximately 347 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE
JAMES S. STIER
Councilperson

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11.27.79
Charles W. Westerman/ne
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X.11.79 on the 27th day of November, 1979.

ATTEST: SEAL
Charles W. Westerman/ne
City Clerk
Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman/ne
City Clerk

Approved and signed by me this 30th day of November, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-11-79 passed by the Common Council on the 27th day of November, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of November, 1979 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of November, 1979.

CHARLES W. WESTERMAN/ne
City Clerk

12/7 12/14

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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COMPUTION OF CHARGES

192 lines, 1 columns wide equals 192 equivalent lines at .259¢ cents per line $ 49.73

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra 3.00

TOTAL AMOUNT OF CLAIM. $ 52.73

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date Dec. 14, 19 79

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

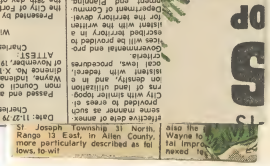
12/7 - 12/14/79

V. E. Gerken

Subscribed and sworn to before me this 14 th day of December 19 79

Harry V. Owen
Notary Public

My commission expires September 28, 1983



Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	190
Tail	number of lines	2
	Total number of lines in notice	192

COMPUTION OF CHARGES

192 lines, 1 cents per line columns wide equals 192 equivalent lines at .2594 $ 49.73

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for

T

DATA FOR COMPUTI

Width of si

Number of

Pursuant to the provision

I hereby certify that the fo has been paid.

Date Dec. 14, 19

herein described territory have pet- ioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COM- MON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following de- scribed territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of Section 5, 7, 8 and 17 In St. Joseph Township 31 North, Range 13 East, in Allen County, more particularly described as fol- lows, to-wit:

Beginning at a point which is the intersection of the centerline of the St. Joseph River and the extension East of the North boundary line of Concordia Gardens thence West along the North boundary line of Concordia Gardens to the East right-of-way line of Leo Road; thence Northeast along the East right-of-way line of Leo Road to the South line of "The Meadows In The Park" as recorded in Book 43, Pages 3-7, in the Office of the Re- corder of Allen County; thence S 66 degrees 58' 00" East a distance of 556.52'; thence S 85 degrees 27' 26" East a distance of 104.81'; thence N 72 degrees 37' 47" East a distance of 124.56'; thence S 35 degrees 47' 01" East a distance of 788.59'; thence N 87 degrees 31' 30" East a distance of 290.37'; thence N 43 degrees 46' 30" East a distance of 458.38'; thence N 46 degrees 13' 30" West a distance of 53.73'; thence N 43 degrees 46' 30" East a distance of 139.78' to a point on the East line of Section 7-31-13; thence North along the East line of Section 7 to the centerline of said Section 7; thence West along center- line of Section 7 to the East right-of-y way line of Leo Road; thence North- easterly along the East right-of-way line of Leo Road to the intersection of the North line of Section 8-31-13; thence East along the North line of said Section 8 to the West line of Bouries Reserve; thence southerly along the West line of Bouries Re- serve a distance of 635'; thence South 70 degrees East a distance of 1000'; thence South 18 degrees East a distance of 800'; thence at a de- flection to the left of 38 degrees 32' a distance of 700'; thence at a deflec- tion to the right of 90 degrees 01' 30" on a line extended to the centerline of the St. Joseph River; thence fol- lowing the centerline of the St. Jo- seph River in it's meanderings to the point of beginning. An area of approximately 347 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time one (1) year of the ef- fective date of annexation govern- mental services of a non-capital nature in a manner which is equiva- lent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to this said described territory. It is also the policy of the City of Fort Wayne to provide services of a capi- tal improvement nature to the an- nexed territory within three (3) years of the effective date of annex- ation in the same manner as such services are provided to areas al- ready in the City with similar topog- raphy, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and pro- prietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory devel- oped by the Department of Commu- nity Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic Dis- trict No. 3 of the City of Fort Wayne, Indiana, as described in Section 3-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

Section 5. This Ordinance shall be in full force and effect after its pas- sage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE
JAMES S. STIER
Councilperson

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its pas- sage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 11.27.79

Charles W. Westerman/ne
City Clerk

Passed and adopted by the Com- mon Council of the City of Fort Wayne, Indiana, as Annexation Or- dinance No. X-11-79 on the 27th day of November, 1979.

ATTEST: SEAL
Charles W. Westerman/ne
City Clerk
Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman/ne
City Clerk

Approved and signed by me this 30th day of November, 1979, at the hour of 3:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and com- plete copy of Annexation Ordinance No. X-11-79 passed by the Common Council on tha 27th day of Novem- ber, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of No- vember, 1979 and now remains on file and on record in my office.

WITNESS my hand, and the offi- cial seal of the City of Fort Wayne, Indiana, this 30th day of November, 1979.

CHARLES W. WESTERMAN/ne
City Clerk

12/7 12/14

Charge for 3.00

$ 52.73

lits, and that no part of the same

Title CLERK

ATTACH C ADVERTISEM

Notice is hereby given that on the 27th day of November, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Ses- sion did pass the following Bill No. X-79-10-13 X-11-79 Annexation Ordi- nance, to-wit:

BILL NO. X-79-10-13
ANNEXATION ORDINANCE NO. X-11-79

AN ORDINANCE annexing certain territory, commonly known as The Park, to Fort Wayne, and including the same in Councilmanic District No. 3.

WHEREAS, the owners of tha

y appeared before me, a notary public in and for said county and state, the

ed V. E. GERKEN who, being duly sworn, says

s CLERK of the

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra	3.00
TOTAL AMOUNT OF CLAIM.	$ 52.73

cents per line

DATA FOR COMPUTING COST

Width of single column 9.9 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date Dec. 14, 19 79 — Title CLERK

PUBLISHER'S AFFIDAVIT

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ALLEN County SS:

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